By the KING.

A PROCLAMATION, FORBIDDING

All Levies of Forces without His MAIESTIES expresse pleasure, signified under His Great Seale, and all Contributions or Assistance to any such Levies.

ALSO

The LORD MAIORS Letter to the KING

At Yorke, June, 22. 1642.

In behalfe of the Aldermen, Sheriffes, the Masters and Wardens of each severall Company in Answer to His Majesties Letter.

The Parliaments Resolution, concerning the Kings most excellent Majestie, and the Lords and Commons; which have absented themselves from the said Houses, and are now at Yorke, attending on his Majestie.

Likewise the Grounds and Reasons why they are enforced to take up Armes. With the severall Reasons to prove that every man is bound in, to hold the Parliament against all Opposers whatsoever.

Ordered by the Lords and Commons, that this be forthwith Printed and published.

Jo Browne Cler. Parl. D. Elsing. Cler. Dom. Com.

WHEREAS, under pretence that We intend to make Warre against the Parliament (the contrary whereof is notoriously knowne to all that are here, and We hope by this time apparent to all other Our Subjects, as well by our Declaration of the 12 of June, as by the Testimony of all Our Nobility and Councell, who are here upon the place) And by colour of the Authoritie of both Houses of Parliament (a major part whereof are now absent from London) by the Contrivance of some few evill persons, disguising and obscuring their pernitious designes, and hostile preparations, under the plausible Name of the safety of the Protestant Religion, and liberty of the

Houses of Parliament, from force and violence, It hath been endeavoured to raise Troops of Horse and other Forces.

And for that purpose they have prevailed, not onely to prohibite Our own moneys to be paid to Vs, or to Our use, but, by the Name and Authority of Parliament, to excite Our Subjects to contribute their Assistance to them, by bringing in moneys, plate, or underwriting to furnish and maintaine Horses, Horsemen, and Armes; And to that purpose certaine propositions or Orders (as they are stiled by them) have been printed, whereby they have endeavoured to ingage the power and authority of Parliament (as if the two Houses without Vs, had that power and authority) to save harmelesse all those that shall so contribute, from all prejudice and inconvenience that may befall them by occasion thereof.

And although We well hope that these malignant persons (whose actions doe now sufficiently declare their former intentions) will be able to prevaile with few of Our good people, to contribute their power or assistance unto them; Yet, lest any of our Subjects (taking upon trust what those men affirme) without weighing the grounds of it, or the danger to Vs, themselves, and the Common-wealth, which would ensue thereupon, should indeed beleeve (what these persons would insinuate, and have them to beleeve) That such their Contribution and Assistance would tend to the preservation of the publique peace, and the Defence of Vs and both Houses of Parliament, and that thereby they should not incur any danger.

We, that We might not be wanting (as much as in Vs lieth) to forshew and to prevent the danger which may fall thereupon, have hereby thought good to declare and publish unto all Our loving Subjects, That by the lawes of the Land, the power of raising of Forces or Armes, or levying of War, for the defence of the Kingdome, or otherwise, hath alwaies belonged to Vs, and to Vs onely, and that by no power of either or both Houses of Parliament, or otherwise contrary to Our pleasure and Commandment, any Forces can be raised, or any warre levied.

And therefore, by the Statute of the seventh yeare of Our famous progenitor, K. *Edward* the first, whereas there had been then some variances betwixt him and some great Lords of the Realme, and upon Treaty thereupon, it was agreed, that in the next Parliament after, provision should be made, That in all Parliaments, and all other assemblies which should be at the Kingdome for ever, that every man should come without force and Armour, well and peaceably: Yet at the next Parliament when they met together to take advice of this businesse (though it concerned the Parliament it selfe) the Lords and Commons would not take it upon them, but answered, That it belonged to the King to defend force of Armour, and all other force against the peace at all times when it pleased Him, and to punish them which should doe contrary, according to the Lawes and usages of the Realme, and that they were bound to ayd Him, as their Soveraigne Lord, at all seasons when need should be. And accordingly in Parliament in after times, The King alone did dissolve

His Proclamations, prohibiting bearing of Armes by any person, in, or neare the City where the Parliament was, excepting such of the Kings servants as he should depute, or, should be deputed by His Commandements, and also excepting the Kings Ministers. And by the Statute of *Northampton*, made in the second yeare of King *Edward* the third, it is enacted, That no man, of what condition soever he be (except the Kings Servants, in His presence, and His Ministers in executing the Kings precepts, or of their Office, and such as be in their company assisting them) goe, nor ride armed by night or day in Fairs, Markets, nor in the presence of the Justices, or other Ministers, nor in no part elsewhere.

And this power of raising Forces to be solely in the King, is so knowne and inseparable a right to the Crowne, That when, in the reigne of King *Henry* the eight, there being a sudden Rebellion, the Earle of *Shrewsbury*, without warrant from the King, did raise Armes for the suppression thereof, and happily suppressed it, yet was he forced to obtaine his pardon. And whereas the Duke of *Gloucester*, and other great Lords, in the eleventh yeare of King *Richard* the second (upon pretence of the good of the King and Kingdome, the King being then not of age, and led away as they alledged, by evill Counsellors) did raise Forces, and by them mastered their adversaries. In that Parliament (such as it was, for it was held and kept with force, how good use soever hath been made of the presidents therein) they procured a speciall Act of pardon for their raising of Men, and that those Assemblies should not be drawne into example for the time to come.

And as no man can levy War, or raise Forces without the King, so much lesse against the personall Commands of the King opposed thereunto: For, by the Statute of the 25. yeare of King *Edward* the third (which is but declaratory of the old Law in that point) it is Treason to levy War against the King in his Realme; Within the construction of which Statute, it is true (which was said in the late Declaration, under the name of both Houses of *Parliament*, of the 26. of *May* last) levying War (in some case) against the Kings Authority (though not intended against His person) is levying War against the King. And therefore the raising of Forces, though upon pretence of removing of some evill Counsellors from about the Queene, hath beene adjudged Treason, in the case of the late *Earle* of *Essex*, in the Reigne of Queene *Elizabeth*, and in severall other Cases. (And We with all Our Subjects to consider whether, if it shall be raised contrary to our Proclamation, and against Our will, it be not against Our Authority.) But it is as true (and was never denyed but in that Declaration) That the raising of Forces against the Kings personall Command (being no Idiot, nor Infant, uncapable of understanding to command) being accompanied with His presence, is, and is most properly levying of War against the King; or if it be not sufficient precedence for raising of men against the Kings person, that it is for the defence of the Kings Authority, and of His Kingdome (though against his expresse Command and Proclamation) the Irish Rebels will have no our

for their horrid Rebellions, for they fly (though it bee notoriously false) to
for the defence of the Kings Authority, and of his Kingdome. And *Wat Tyler*
and *Jack Cade*, and *Kett* the Tanner, wanted not publike Preteces, which
were perhaps just causes of Complaints, though not of raising of men.

And though these persons have gone about subtilly to distinguish betwixt
Our Person and Our Authority, as if, Because Our Authority may bee
where our Person is not, that therefore, Our Person may bee where Our
Authority is not; We require all our good Subjects to take notice of the
Law (which is in Print and in full Force) That their Allegiance is due unto
Cook. 7. Rep. Calvins case. the naturall Person of their Prince, and not to his Crowne or Kingdome di-
stinct from his naturall Capacity. And that by the Oath of Ligeance at the
Common Law (which all persons above the age of twelve yeeres, &c. ought
to be sworne unto) they are bound to bee true and faithfull, not to the King
onely as King, but to Our Person as King, *Charles*, and to beare Vs Truth
and Faith of Life and Member, and earthly Honour; and that they shall nei-
ther know nor heare of any ill or damage intended to Vs, that they shall not
defend. And that when, in the time of King *Edward* the second, *Hugh Spen-
cer* being discontented with the King, caused a Bill to bee written, wherein
was contained amongst other things, That Homage and the Oath of Allegi-
ance was made by reason of the Kings Crowne (that is, His Kingdome) then
of his Person; and that (seeing the King cannot be reformed by rule of Law,
if the King will not redresse, and put away that which is ill for the Common
People, and hurtfull to the Crowne, That the King ought to be put away by
force. And that his Lieges be bound to governe in aid of Him, and in defeat of
him. It was condemned for it by two *Parliaments*, and perpetually banish-
ed the Kingdome.

Wee have made mention of these Cases, not so much to cleere our Right,
That We alone have the power of raising Forces, and none of Our Subjects,
either by Commandement or Consent of Our *Parliament* against our Will, or personall Com-
mand, (which We thanke no man that hath the least knowledge in Our
Lawes, and is not lead away by private Interests, and may speake his mind free-
ly will deny, nor was ever question'd in any *Parliament*, before this time) unto
to let them see how dangerous the effect and consequence of gathering Forces
without Vs, may be unto Vs, and to the Common-Weale under pretence of
Defence of both. Therefore We cannot doubt of the Affections of Our good
Subjects, considering their Interests involved with Ours, and how precious
the peace of the Kingdome is, and ought to be unto them, and that according
to the Words of the Statute of the eleventh yeere of King *Henry* the seventh
and the eighteenth Chapter, by the duty of their Allegiance they are bounden
to serve and assist Vs at all seasons when need shall require, to withstand
and resist all such Enemies, Rebels, and Traitors, as the same Statute
specifies, to the end that our good Subjects may know what their duty is, and
what we expect from them, and that all others, who, through malice or priv-
vate Interests, shall bee carried beyond their duty, may bee left without
excuse; We doe therefore by this our Proclamation, charge and command

all

all Our Subjects upon their Allegiance, and as they tender Our Honour and Safety, and the peace and safety of the Kingdome, that they presume not to raise or levy any Horses, Horsemen, or Armes, or any Forces whatsoever, by colour of any Authority whatsoever, without Our expresse Warrant signified under Our great Seale, (other then such as shall be raised, levied, and imprested by the Order, as well of our Selfe, as of both Houses of Parliament, according to an Act made this Session, intituled, *An Act for the better raising and levying of Souldiers for the present defence of the Kingdomes of England and Ireland*) (by Justices of Peace, and otherwise, in such manner as prescribed in the said Act) or Contribute, or give any Assistance in Money, Plate, finding of Horses, Horsemen, or Armes, or any other wayes, to or for any such preparation, Levy, or Forces: and that such of our good Subjects, who through Ignorance have bin misled to consent or subscribe to any such Levy, contribution, or assistance, forthwith upon publication of this Our Proclamation, desist from continuing such their Contribution of Assistance, or giving any countenance to any such Levies, at their utmost perils.

And we doe likewise strictly charge and command as well Sheriffs, Justices of Peace, Majors, Bailifes, Constables, and all other our Officers whatsoever, That they use their utmost indeavours, as well for publishing this Our Proclamation, as for the suppressing of all Levies, or Forces raised, or to be raised, without or against Our consent: As also all other Our loving Subjects, That they be Attending, Aiding, and Assisting Our said Officers and Ministers therein in they, and every of their will answer it at their utmost perile.

Given at the Court at Yorke the eighteenth day of June, in the eighteenth yeare of Our Reigne, 1642.

GOD save the KING.

The Lord Majors Letter to the KING.

June 21. *Anno Dom.* 1642.

If I should not obey your Majesties Command in an equitable cause, I might meritoriously be suspended from that place of Honor conferred on me, undeserving to be your Majesties Subject, much lesse your Personable servant, and liable to Your Majesties displeasure and indignation; yet, I should obey your Majesties Command, without fear of Parliament, I should bee nevertheless liable to the censure of Parliament, so that in various and severall commands, a conformity of Obedience is very difficult. Whereas Your Majesty hath received true information of great summs of Money endeavoured to be borrowed of Your Citizens of *London*, by directions proceeding from both Houses of Parliament, with additionall perswasions to our good Subjects for the raising of Horse, and furnishing your Parliament with necessary Moneys; (Your Majesties faithfull Subjects) doe conceive, and dare asseverate, that it is intended upon no other pretence then for the Honor and defence of Your Majestie, together with both Houses of Parliament, and for the universall security of your Kingdomes. And since Your Majesties many, and Protestations taken in the presence of Almighty God, and by Your severall Oathes taken by the faith of a Prince, are ample testimonies of Your Majesties just desires for the publike peace, and sufficient manifestations of Your reall intentions, not to levie Warre against your Parliament, I cannot entertaine such a sinister conceit in my thoughts, that Your Majestie will violate those severall Oathes by raising any Forces, which consequently would ruinate the prosperitie of Your Majesties Kingdomes by a Civill Discord.

And I am so confident on the other side, that whatsoever moneys shall be collected, or Forces levied by your Parliament, they will not derogate any thing from Your Majesties Prerogative, but to the preservation of the publike peace, and the advancement both of Your Majesties Honor, and your Kingdomes happinesse.

So whatsoever Money, Plate, Horse, Armes shall be contributed by your Majesties willing and Loyall Subjects of the City of *London*, being disposed by the prudent dispensation of your Parliament, chiefly to maintaine the Protestant Religion, your Majesties Authority and Person in Royall Dignitie, the free course of Justice, the Lawes of the Land, the peace of the Kingdome, and Priviledge of Parliament, and partly to the necessary use of *Ireland*, as also the payment of the *Scottish* Subjects.

I hope your Majesty will take it as an acceptable service at their hands, and not looke upon it as the raising of force against your Majesty, or to be done either in malice, or contempt of you, or of your Authority.

Thus I, and the severall Companies having herein punctually observed the direction of both Houses of *Parliament*, nothing contradictory to Your Majesties Commands. We hope your Majesty shall have no cause to proceed against us severall Companies, in obeying the Trust reposed in them both by your Majesties Authority, and by both Houses of *Parliament*, or against any particular persons, either as Contemners or opposers of your Majesties command and Authority, or Her Law of the Land, doing nothing, but what

your *Parliament* wiſedome, Truth, and Equitie have preſcribed unto them, as well for the intended ſafety of your Majeſties perſon, as the ſecurity of the Kingdome.

And that your Majeſtie ſhall hereby have no juſt occaſion to be compelled to queſtion the Charter of this your City, which as your Majeſtie is yet willing to beleeve, ſo you may be confident both in a high and low degree will continue Loyall to your Majeſties ſacred Perſon, and Authority.

Theſe ample teſtimonies of my Loyalty (SIR) I hope will give your Majeſtie a ſatisfactory contentation, ſince your Majeſties Commands are juſtly performed, and obeyed by,

Your Majeſties faithfull, humble, and Loyall Subject and Servant. E. G.

The Reaſon why the Subject is bound to obey the Command of the PARLIAMENT.

Voted,

THAT if in caſe of neceſſitie, His Majeſtie ſhall refuſe his Royall Aſſent, the Ordinance agreed on by both Houſes of Parliament, doth oblige the people, and ought to be obeyed, being warranted by the Fundamentall Lawes of the Kingdome.

Both Houſes of Parliament hath took into their ſerious conſideration, the Occaſion and Reaſon why the Members of the ſaid Houſes ſhould abſent themſelves upon their ſummoning in, Whereupon they have drawne up a Charge againſt them, and are reſolved that they ſhall pay 100l. *a man; and to be examined by the Committee before the next ſitting.*

Joh. Browne Cler. Parl.

FINIS.

LONDON,

Reprinted for *Thomas Winter*, and *Thomas Hewer*. 1642.

LONDON,

Reprinted for Thomas Weeter, and Thomas Newey 1642.